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UNITED STATES DISTRICT COURT

DISTRICT OF MONTANA

MISSOULA DIVISION

DEFENDERS OF WILDLIFE, NATURAL)
RESOURCES DEFENSE COUNCIL, SIERRA) CV 08-56-M-DWM
CLUB, HUMANE SOCIETY OF THE UNITED)

STATES, CENTER FOR BIOLOGICAL)	
DIVERSITY, JACKSON HOLE CONSERVATION)	
ALLIANCE, FRIENDS OF THE CLEARWATER,)	SUPPLEMENTAL
ALLIANCE FOR THE WILD ROCKIES,)	DECLARATION OF
OREGON WILD, CASCADIA WILDLANDS)	JAMES W. UNSWORTH
PROJECT, WESTERN WATERSHEDS PROJECT,)	
and WILDLANDS PROJECT)	
)	
<i>Plaintiffs,</i>)	
)	
v.)	
)	
H. DALE HALL, U.S. Fish and Wildlife Service)	
Director; DIRK KEMPTHORNE, Secretary of the)	
Interior; and UNITED STATES FISH AND)	
WILDLIFE SERVICE,)	
)	
<i>Defendants,</i>)	
)	

1. My name is James W. Unsworth. I am the Chief of the Wildlife Bureau of the Idaho Department of Fish and Game. My background and qualifications were previously described in the Declaration of James W. Unsworth filed with this Court on May 16, 2008.
2. The purpose of this Declaration is to update the Court regarding actions taken by the Idaho Fish and Game Commission after the filing of my original Declaration on May 16, 2008.
3. The Idaho Fish and Game Commission adopted the Idaho Wolf Population Management Plan 2008-2012 on March 6, 2008 ("Management Plan"). The Management Plan contemplates the establishment of science-based annual mortality management limits, to ensure that the annual mortality from all sources is consistent with the objective of maintaining wolf populations at 2005-2007 population levels (518-732 wolves) during the 5-year post-delisting period.

4. Fish and Game Commission action on May 22, 2008 established a total mortality limit of 364 wolves (excluding 58 allocated to the Nez Perce Tribe) in 2008, which includes all reported wolf kills – from natural causes, accidents, wolf predation control actions and hunter kills. The mortality limit establishes the maximum mortality consistent with the management plan population objective of 518 to 732 wolves. Reaching the limit would result in an estimated end-of-year population of no less than 520 wolves, when the mortality limit is combined with the estimate of non-reported wolf mortalities. Experience with other species is that actual mortality is usually less than the mortality limit.
5. The 2008 mortality limit adopted by the Commission was calculated as follows:
 - (a) Beginning wolf population: 738;
 - (b) Estimated spring 2008 population following reproduction: 1063 ($738 \times 1.44 = 1063$);
 - (c) Estimated non-hunting mortality: 213 ($1063 \times 0.2 = 213$);
 - (d) Estimated reported non-hunting mortality: 92 ($213 \times 0.43 = 92$);
 - (e) Estimated harvest to meet IDFG population goal of stabilizing and reducing the population in conflict areas: 272;
 - (f) Total statewide limit: 364 (272 (hunter harvest) + 92 (reported non-hunting mortality) = 364);
 - (g) Estimated additional non-reported non-hunting mortality: 121 ($213 \times 0.57 = 121$);
 - (h) Estimated statewide minimum population at end of hunting season: 520 (1063 (spring 2008 population) – 364 (hunting + reported non-hunting mortality) – 121 (estimated non-reported non-hunting mortality) – 58 (Nez Perce Tribe harvest allocation) = 520).
 - (1) The State of Idaho and the Nez Perce Tribe are in active discussions regarding harvestable surplus and harvest allocation of wolves. The Tribe has not yet committed to harvesting its

allocated share of wolves because of its complex and spiritual nature within the Tribe. The Tribe's share of the harvest could range from 58 to 72 wolves.

6. The Commission based its decision on the following factors: the annual growth rate of wolves is 20-30%; the verified wolf population parameters are conservative estimates; the need to meet state wolf management plan goals (maintaining wolf population between 2005 and 2007 levels); the need to address livestock depredations; the need to address decreasing elk hunting opportunities; and the need to account for an unknown Tribal harvest share utilization. The Commission decision will only allow a potential harvest increase of 34 wolves over the mortality limit described in my original Declaration.
7. Since the population of wolves reached federal recovery levels in 2002, verified livestock depredations have increased from less than 50 in 2002 to over 450 in 2007. During this same time, estimated USDA Wildlife Services wolf-related expenditures have increased from approximately \$150,000.00 to over \$350,000.00. The mortality limit includes the rapidly increasing verified wolf depredations and resultant control actions; an evolving issue even before delisting. Wolf packs becoming verified as "chronic" depredating packs in Idaho have doubled from FY2003 (8) to FY2007 (16).
8. Potential impacts of wolves on elk populations was a major concern in establishing the mortality limit. This past March, the Commission was forced to reduce elk hunting opportunities by reducing permits (-3,044) in the Elk City, Island Park, McCall, Pioneer, Salmon and Selway zones in response to declining

elk populations. Up to the 1990s, big game populations were generally meeting objectives (Nadeau Declaration). During the past decade many elk populations, including core elk populations, have declined; most significantly the traditionally premier Lolo and Selway elk zones. Beginning in the mid-90s, elk numbers have plummeted 61% in the Lolo Zone from 13,044 to 5,110 in 2006. Elk numbers in the Selway Zone have fallen by 40% from 8,174 in 1989 to 4,903 in 2007. Radio telemetry research on elk in north-central Idaho has identified wolf predation as a significant source of mortality in juvenile and adult female elk. Annual adult female elk survival in the Lolo elk zone since 2005 has been below values necessary to maintain population stability (88-92%). Elk hunters and outfitter clients were reduced by at least 50% in the Lolo and Selway zones. Along with these severe hunter reductions, aggressive bear, lion, and habitat enhancement management programs were instituted to balance big game populations. Wolves are the only significant mortality source not being managed in these depressed elk zones. The Island Park and Panhandle elk zones are also no longer meeting all elk management objectives.

9. Hunting would be allowed only to the extent consistent with the mortality limit. When the statewide limit is reached, all hunting would stop. The limit would be distributed across 12 management zones. When limits in individual zones are reached, hunting in those zones would stop. Management goals for individual zones were established in the Management Plan.

10. Additionally, the Commission established wolf hunting season rules to assure adequate harvest monitoring and compliance with mortality limits including:
 - Sep 15 to Dec 31 season with a Nov 6 Commission review meeting.
 - Season limit of one wolf per hunter with season closed when mortality limit is met.
 - An 800 telephone number and a web-based system to track hunter harvest, mortality limit status and management area closures.
 - A 72 hour mandatory reporting requirement with a 10 day check requirement for the hunter to present the skull and hide to determine sex and age of harvested wolves.
 - No trapping or snaring.
 - No hunting within ½ mile of any big game feeding site.
 - No electronic calls.
 - No baiting.
 - No use of poisons.
 - No use of aircraft, or communication from aircraft.
 - No dogs allowed to pursue or attract wolves.
11. The Fish and Game Director and the Idaho Fish and Game Commission can close seasons at any time.
12. I am also attaching to this Declaration as Exhibit 1 the Idaho Wolf Update for May 4 through May 18, 2008.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on May 27, 2008, in Boise, Idaho.



James W. Unsworth
Wildlife Chief
Idaho Department of Fish and Game

Literature Cited:

Idaho Department of Fish and Game. 2008. Idaho wolf population management plan 2008-2012. Idaho Department of Fish and Game, Boise. 85 pp.

Idaho Update for May 4 through May 18, 2008

EXHIBIT 1
To
SUPPLEMENTAL
DECLARATION OF JAMES W.
UNSWORTH

Defenders of Wildlife v. Hall
U.S. District Court
Case No. 9:08-cv-00056-DWM

EXHIBIT 1

Idaho Wolf Update May 4 - 18, 2008

Monitoring

Wolves apparently denned lower than normal this year and are closer to cattle operations across the state. They are showing up in areas never seen before such as the Camas Prairie near Ferdinand in open wheat fields. Snow conditions in north Idaho and mid elevations are still early spring-like and game is just beginning to move higher.

Michael Lucid and Laura Robinson returned to the wilderness attempting to radio collar wolves after a few days off. Snow and ice are starting to leave and green up has finally arrived as the weather warms up and elk and deer begin to move up in elevation. Wolves are using the trails and a few winter kills were seen. They captured an adult male mountain lion while trapping for wolves in the Selway. They placed a radio collar on it and it will be tracked along with other telemetry flights in the area.

Jason Husseman flew telemetry and located a few den sites including Moyer Basin, Aparejo, Pass ck., Galena, Bear Valley and Basin Butte. Pup counts will begin starting this week. Jason also worked the Moyer Basin pack on Saturday and verified reproduction.

Nez Perce Tribal crews trapped a one- to two-year-old female from the Stolle Meadows pack and fitted it with a GPS collar for Dave Ausband's research.

Control

On 5/5, USDS Wildlife Services (WS) confirmed that wolves killed a calf on private land near White Bird. Control efforts are underway to stop further depredation activity.

On 5/6, WS responded to a report that wolves killed a calf on private land near Gardena. WS determined that the incident was a "probable" wolf depredation. The rancher shot a wolf near his cattle and reported it to Fish and Game. Law enforcement is investigating.

On 5/6, a WS aircrew was able to remove an adult gray male wolf after several depredations on cattle over the past several weeks on private land near Leadore.

On 5/7, WS confirmed that wolves from the Pass Creek killed an 800-pound calf on private land near Jimmy Smith Lake. Control efforts are underway to stop further depredation activity.

On 5/13, WS confirmed that wolves killed another calf on BLM land near Leadore. Control efforts are ongoing to get the depredations under control.

On 5/14, WS looked at another calf carcass at the same ranch near Gardena where a rancher shot a wolf last week. While there was not enough evidence to confirm, WS did determine that it was a probable wolf depredation.

On 5/14, WS confirmed that wolves attacked and injured a Great Pyrenees dog on private land near Mullen. Efforts to radio collar a wolf are ongoing. The dog owner legally shot the wolf while it was attacking the dog in his yard.

On 5/14, WS confirmed that wolves killed a calf on private land north of Grangeville on the prairie. Control efforts to resolve the problem including placing a radio collar in the pack and attempting nonlethal harassment have begun.

On 5/15, WS investigated a report that wolves killed a calf on private land near Mackay Reservoir. WS was able to determine that the calf was not killed by a predator, but it had been fed on by coyotes.

On 5/16, WS confirmed that wolves from the Pass Creek pack killed two calves on private land along the East Fork of the Salmon River. Nonlethal efforts are ongoing by attempting to haze the pack to move the den site away from the private land calving area. WS and Fish and Game are also attempting to find alternative grazing options for the producer to reduce continued depredations. Lethal control efforts are ongoing from a previous depredation in the area.

On 5/17, WS investigated a report that wolves killed a calf on private land near Council. Despite the producer's insistence that wolves had killed the calf, all evidence at the site showed that coyotes were the responsible predator.

On 5/18, WS confirmed that wolves killed 13 sheep on BLM land between Bliss and Hill City. Control efforts to resolve the problem have begun including placing a radio collar in the new pack.

Management

Wolves injured a dog and were attacking two others in a backyard in the Mullen area of North Idaho, and the dog owner killed one of the wolves while it had the Great Pyrenees down. All dogs survived.

An 80-pound female black wolf was found road killed by collision on Highway 75 north of Ketchum over the weekend. It is believed to be a yearling from the Phantom Hill pack.

On 5/15 a young male wolf was found dead near Lowman airstrip where wolves have been feeding on deer that have been attracted to housing areas by winter feeding. It is under investigation.

A wolf was killed attacking livestock near Red River over the weekend. It is under investigation.

A wolf radio collar is on mortality in the Selway wilderness (Selway pack). Biologists will attempt to find the cause of the mortality signal (dropped collar or mortality).

This year's lingering spring conditions are keeping wolves at lower elevations during peak cattle calving and lambing seasons. All but one depredation report received has occurred on private land at low elevations. Many are occurring in areas we have not historically had high levels of depredations including Council/Cambridge area, Horseshoe Bend, Lemhi, Pahsimeroi, Camas Prairie north of Grangeville, Ashton, Mountain Home and other locations on private ground far from core wolf areas. Wolves are denning at lower elevations as well. All this bodes for higher than usual conflicts.

On April 28, a lawsuit was filed in Federal Court in Missoula to prevent delisting. The states of Idaho, Montana, and Wyoming along with several other groups were granted intervener status on behalf of the US Fish and Wildlife Service. The injunction hearing will be held in federal court in Missoula MT on May 29, 2008.

Information and Education

The Idaho Department of Fish and Game held a series of public open house meetings around the state to seek comments on the proposed 2008 wolf hunting season framework. The meetings were lightly attended. More than 1,000 emails and public comments were received online.

The Idaho Fish and Game Commission will meet from 7 to 9 p.m. May 21 to hear public comment at the Jerome Fish and Game office. They will consider the wolf hunting rules at 10:30 a.m. on May 22.

Jason Husseman gave a presentation to 10 people at the "Food for Thought" group in Salmon on May 14.

Jason, Michael Lucid, Carter Niemeyer and Steve Nadeau attended the Ninth Cougar Workshop in Sun Valley May 5-9 and led a wolf tour on May 9 of about 25 people.

Wolf hunting season public open houses were held across the state at various towns over the past two weeks. Attendance was quite low at most open houses. Comments are being tallied for the commission meeting on May 22.

Steve Schmidt, Daryl Meints and Virgil Moore held an open house on the hunting rules but also provided a public forum to discuss recent dog and wolf killings in the Ashton area near Idaho Falls and to discuss the new state law. More than 100 people attended.

We also would like to remind people that when wolves are in the area, please be aware that they may attack or injure dogs. It often helps to keep dogs in kennels or inside buildings at night and to not let them roam freely when humans are not around. When fresh wolf sign is found, place dogs on restraints and keep supervised. The state law allows individuals to harass or kill a wolf attacking or molesting their domestic animals including pets. If you are having concerns or problems with wolves close to your residence, please inform the Fish and Game Office nearest you.

Please help manage wolves by reporting wolf sightings on the Fish and Game observation form at: http://fishandgame.idaho.gov/apps/wolf_report/

Wolves in the Northern Rocky Mountains (NRM) were delisted on March 28, 2008. The U.S. Fish and Wildlife Service successfully recovered and delisted the population with the help of state, federal, tribal and non government partners. Management of these wolves now resides with the states of Idaho, Montana, and Wyoming. The 2002 legislatively approved Wolf Conservation and Management Plan along with the March 2008 Idaho Fish and Game Wolf Population Management Plan, as well as the laws and policies of the state now govern wolf management in Idaho. Wolves are now listed as a big game animal in Idaho and protected under the laws and policies of the State of Idaho.

Once wolves were delisted, the USFWS decided to discontinue the publication of the NRM wolf weekly. Instead, for the time being, Idaho will continue publishing an Idaho-specific wolf update. Along with the USFWS, contributors to the reports historically have included the USDA APHIS Wildlife Services, the Nez Perce Tribe, and the states of Idaho and Montana. Wyoming was reported on by the USFWS. Past wolf publications are available on the Fish and Game wolf webpage and links along with all pertinent and updated wolf information and publications at: <http://fishandgame.idaho.gov/cms/wildlife/wolves/>